

BARBARA ANN THURMAN BLEVINS,

PLAINTIFF,

VS.

PROGRESSIVE INSURANCE COMPANY,

DEFENDANT.

* IN THE CIRCUIT COURT OF

* HOUSTON COUNTY, ALABAMA

* CIVIL ACTION NO. CV-

* CV-06-191J

FILED

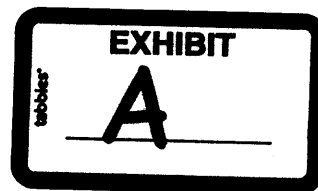
MAR 21 2006

Judy Byrd
JUDY BYRD, CLERK
HOUSTON CO., AL

COMPLAINT

COMES NOW the Plaintiff, BARBARA ANN THURMAN BLEVINS, in the above styled cause, by and through her undersigned attorney, and avers as follows:

1. On or about February 6, 2004, in Dothan, Houston County, Alabama, the Plaintiff was injured by the negligence of one Angie Day. The above said Day allowed her automobile to strike the rear end of the automobile of the Plaintiff.
2. Due to the negligence of the above said Day, the Plaintiff had to spend large sums of money for doctor bills, hospital bills, chiropractic bills, car rental expenses and lost wages among other damages.
3. The Plaintiff settled her claim against the tort feisor. However, the tort feisor did not have sufficient insurance to pay for the above said expenses plus pain and suffering incurred by the Plaintiff. The Plaintiff had a contract of insurance, with Progressive Insurance Company, providing under-insured motorist among other coverage. The Plaintiff has made demand for payment under her under-insured motorist. The Defendant has refused to pay.



COUNT I

1. The Plaintiff adopts the paragraphs immediately preceding Count I.
2. The Plaintiff avers that the Defendant has breached the contract.

WHEREFORE, PREMISE CONSIDERED, the Plaintiff demands judgment against the Defendant in the sum of \$20,000.00 plus costs of court.

COUNT II

1. The Plaintiff adopts the paragraphs immediately preceding Count I.
2. The Plaintiff avers that the Defendant, without any just cause, has failed and refused to pay and did not investigate its liability to pay. The Defendant summarily denied the Plaintiff's claim. The actions of the Defendant constitutes tort of bad faith.

WHEREFORE, PREMISE CONSIDERED, the Plaintiff demands Judgment against the Defendant in the sum of \$20,000.00 compensatory damages and the sum of \$500,000.00 punitive damages plus the costs of court.

Respectfully submitted this 6 day of March, 2006.



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